

## **REMARKS**

Careful consideration has been given to the Official Action of October 14, 2008 and reconsideration of the application is respectfully requested.

Claims 1-20 stand rejected under 35 USC 112, first paragraph as allegedly failing to comply with the written description requirement. In this respect, the previous amendment to the Background of Invention section, which was not entered by the Examiner, is withdrawn without prejudice.

Claims 1, 4, 6-8, and 11-22 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Rost (Patent No. 2, 123,746) in view of what the Examiner contends is Applicant's Own Admission of Prior Art (AOAPA).

Claims 22-23 stand rejected under 35 USC 103(a) as being allegedly unpatentable over Chase (Patent No. 1,370,731) in view of AOAPA. Although not indicated, claim 24 appears to be subject to the same rejection.

Claim 1 has been amended to incorporate claim 6, which has been canceled, and to recite that the conductor is shape-maintaining such that it maintains the predetermined polygonal cross-section unless and until the layer of insulating material is removed. Support for the amendment can be found in the original specification at, for example, page 3, lines 35-38.

Claims 19 and 23 have also been amended similarly.

Claim 24 has been canceled without prejudice.

The claims as now presented are patentable over the cited references as will be discussed hereafter.

The claimed invention is directed to a metallic conductor comprising an assembly of flexible wires wherein the conductor is shape-maintaining such that it maintains the predetermined polygonal cross-section unless and until the layer of insulating material is removed. See page 1, lines 11-12, and page 3, lines 35-38. This is advantageous because fine flexible wires cannot keep the shape themselves.

In contrast, none of the cited references teaches or suggests a conductor as recited in the claims.

Rost is directed to insulating means for high tension conductors and cables. Specifically, Rost provides successive layers which are applied around the conductor by extrusion. However, there is nothing in Rost that would teach or suggest (1) to prepare a conductor of small, flexible wires such that it is shape-maintaining and maintains the predetermined polygonal cross-section unless and until the layer of insulating material is removed or (2) that one of skill in the art would have had a reasonable expectation of success in doing so. In fact, it is respectfully submitted that keeping the shape of the wires for high-

tension (non-flexible; rigid or semi-rigid) wires would not have presented a problem as compared with the fine flexible wires of the claimed invention. Thus, Rost would not have even contemplated the problem faced and dealt with by the claimed invention and would have provided no motivation or reason for the modification necessary to arrive at the claimed invention.

AOAPA discusses a cable composed of three conductors which assume a triangular arrangement inside a circular cylindrical external protective covering that surrounds the arrangement of the conductors (see page 1, lines 21-24). Like Rost, AOAPA also does not teach or suggest that the conductor is shape-maintaining.

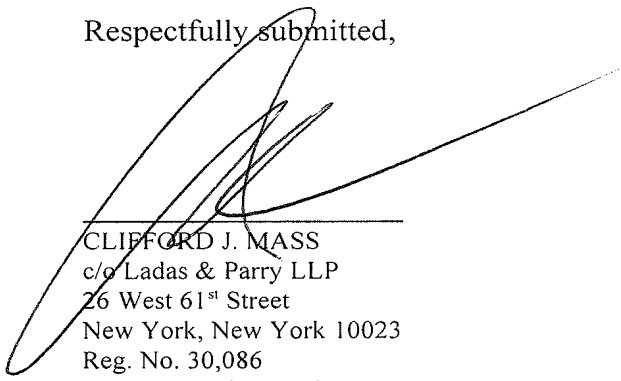
Chase is directed to cables for high-voltage power work in which the electrostatic stresses and losses, electrodynamic losses, and heating are attained by winding around the insulation individual to the conductor or to each conductor, a conducting sheath, which is not intended primarily for mechanical protection, but for electrical and thermal purposes (see page 2, lines 21-39). Like Rost, and AOAPA, there is also nothing in Chase that would teach or suggest that the conductor is shape-maintaining such that it maintains the predetermined polygonal cross-section unless and until the layer of insulating material is removed.

Since none of the cited references teaches or suggests that a conductor of small, flexible wires of the recited configuration would be shape-maintaining, their combination cannot either. Therefore, Rost, AOAPA, and Chase, whether taken singly or in combination, do not teach or suggest every feature of the claimed invention and cannot support a *prima*

*facie* case of obviousness.

In view of the above action and comments, favorable reconsideration of the application as amended is earnestly solicited.

Respectfully submitted,



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